

MAR 07 2006

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

1 James A. McDevitt  
2 United States Attorney  
Eastern District of Washington  
Stephanie J. Lister  
3 Assistant United States Attorney  
Post Office Box 1494  
4 Spokane, WA 99210-1494  
Telephone: (509) 353-2767  
5

**CR-06-0023-FVS**

6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 TIMOTHY W. HICKS,

12 Defendant.

} INDICTMENT

Vio: 18 U.S.C. §  
2252A(a)(5)(B),  
Possession of Child  
Pornography (Count 1);  
18 U.S.C. § 2422(b),  
Coercion and Enticement  
(Count 2);  
18 U.S.C. § 2253(a)(3),  
Forfeiture (Count 3)

16 The Grand Jury Charges:

17 **COUNT 1**

18 On or about June 30, 2005, in the Eastern District of Washington,  
19 TIMOTHY W. HICKS, defendant herein, did knowingly possess material that  
20 contained images of child pornography, that is, digital images, computer images,  
21 and computer-generated images that are, and are indistinguishable from, those of a  
22 minor engaging in sexually explicit conduct that had been mailed, shipped and  
23 transported in interstate and foreign commerce, and which were produced using  
24 materials which have been mailed, shipped, and transported in interstate and  
25 foreign commerce, by any means including by computer, in violation of Title 18,  
26 United States Code, Section 2252A(a)(5)(B).

27  
28  
INDICTMENT - 1

P60228JM.SLA.wpd

## COUNT 2

From on or about May 19, 2004, through May 3, 2005, in the Eastern District of Washington and elsewhere, the Defendant, TIMOTHY W. HICKS, did knowingly and intentionally, by means of a facility of interstate commerce, to wit: a computer, did attempt to persuade, induce, entice, and coerce a male minor under 18 years of age to engage in an unlawful sexual act; all in violation of 18 U.S.C. § 2422(b).

COUNT 3

Upon conviction for violating 18 U.S.C. § 2252A(a)(5),(B), Possession of Child Pornography as charged in Count 1 of this Indictment, Defendant TIMOTHY W. HICKS, shall forfeit to the United States any and all right, title, and interest he has in property used or intended to be used to facilitate the possession of child pornography, including but not limited to the following: one Western Digital hard drive, serial number WM949 159 4125, and computer peripherals, taken from the residence of TIMOTHY W. HICKS on June 23, 2005, during the execution of a search warrant at his residence on Road 16 N.E., Mansfield, Washington, all pursuant to 18 U. S. C. § 2253.

DATED this 7 day of March, 2006.

A TRUE BILL

~~James A. McDevitt  
United States Attorney~~

**Stephanie J. Lister  
Assistant United States Attorney**